



Attorney's Docket No.: 07039-247001-  
*JFW/6B4*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Mark Espy et al. Art Unit : 1634  
Serial No. : 09/945,203 Examiner : Sakelaris, S.  
Filed : August 31, 2001  
Title : DETECTION OF VARICELLA-ZOSTER VIRUS

**MAIL STOP ISSUE FEE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL

The following correspondence relating to this application is enclosed for filing:

1. Supplemental Information Disclosure Statement (1 page);
2. Form PTO-1449 (2 pages);
3. Copies of cited references (18 references, including one on CD-ROM);
4. Copies of 2 partial European Search Reports (7 pages and 5 pages);
5. Check in the amount of \$180.00; and
6. A Return Postcard.

Please date stamp and return the enclosed postcard. Please apply any charges or credits to  
Deposit Account No. 06-1050.

Date: June 2, 2004

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60 South Sixth Street, Suite 3300  
Minneapolis, MN 55402  
(612) 335-5070 telephone  
(612) 288-9696 facsimile  
60220446.doc

Respectfully submitted,

M. Angela Parsons  
M. Angela Parsons, Ph.D.  
Reg. No. 44,282

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL**

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

June 2, 2004

Date of Deposit

Lisa M. Becker

Lisa M. Becker  
Typed or Printed Name of Person Signing Certificate



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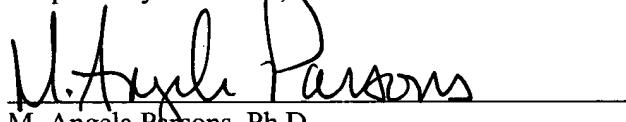
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Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Applicants submit the references listed on the attached form PTO-1449. Copies of two partial European Search Reports in counterpart applications are also enclosed.

This statement is being filed after a Final Office Action or a Notice of Allowance, but before payment of the Issue Fee. Each item of information in this statement (i) was cited in a partial European Search Report in a counterpart foreign application, the communications being dated March 2, 2004 and March 10, 2004, which is not more than three months prior to the filing of this statement, and (ii) was not cited in any communication from a foreign patent office in a counterpart application which was more than three months prior to the filing date of this statement. A check for \$180 in payment of the late submission fee of §1.17(p) is enclosed. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

  
M. Angela Parsons, Ph.D.  
Reg. No. 44,282

Date: June 2, 2004

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Signature

Lisa M. Becker

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Substitute Form PTO-1449 (Modified) Information Disclosure Statement by Applicant (Use several sheets if necessary) (37 CFR §1.98(b))		U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 07039-247001	Application No. 09/945,203
		Applicant Mark Espy et al.		
		Filing Date August 31, 2001	Group Art Unit 1634	

U.S. Patent Documents							
Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	AA	5,702,895	12/30/97	Matsunaga et al.			

Foreign Patent Documents or Published Foreign Patent Applications							
Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation
							Yes No
	AB	1 160 333	12/05/01	EPO			
	AC	0 526 876	02/10/93	EPO			
	AD	WO 03/068918	08/21/03	PCT			
	AE	WO 01/23604	04/05/01	PCT			
	AF	WO 01/12803 (on CD-ROM)	02/22/01	PCT			

Other Documents (include Author, Title, Date, and Place of Publication)		
Examiner Initial	Desig. ID	Document
	AG	Arthur et al., "Enterococcus faecium transposon Tn1546 transposase, resolvase, vanR, vanS, vanH, vanA, vanX, vanY and teicoplanin resistance protein (vanZ) genes, complete cds," 1993, database accession no. M97297
	AH	Grisold et al., "Detection of Methicillin-Resistant <i>Staphylococcus aureus</i> and Simultaneous Confirmation by Automated Nucleic Acid Extraction and Real-Time PCR," <i>J. Clin. Microbiol.</i> , 2002, 40:2392-2397
	AI	Huletsky et al., "Rapid Detection of Vancomycin-Resistant Enterococci Directly from Rectal Swabs by Real-Time PCR Using the Smart Cycler," <i>Abstracts of the Interscience Conference on Antimicrobial Agents and Chemotherapy</i> , Chicago, Illinois, September 22-25, 2001, 41:409 (Abstract K-1195)
	AJ	Ito et al., "Staphylococcus aureus DNA, type-I staphylococcal cassette chromosome mec," 1999, database accession no. AB033763
	AK	"LightCycler-FastStart DNA Master Hybridization Probes," 1999 Roche Diagnostics GmbH Technical Manual, retrieved from the internet on February 6, 2004: <a href="http://www.roche-applied-science.com">http://www.roche-applied-science.com</a>
	AL	Palladino et al., "Real-time PCR for the rapid detection of <i>vanA</i> and <i>vanB</i> genes," <i>Diagnostic Microbiology and Infectious Disease</i> , 2003, 45:81-84
	AM	Palladino et al., "Rapid Detection of <i>vanA</i> and <i>vanB</i> Genes Directly from Clinical Specimens and Enrichment Broths by Real-Time Multiplex PCR Assay," <i>J. Clin. Microbiol.</i> , 2003, 41:2483-2486
	AN	Patel et al., "Enterococcus faecalis vancomycin resistance protein vanB gene, partial cds," 1997, database accession no. U72704
	AO	Patel et al., "Enterococcus faecium vancomycin resistance protein B (vanB) gene, partial cds," 1997, database accession no. U94528

Examiner Signature	Date Considered
EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

Substitute Form PTO-1449 (Modified)	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 07039-247001	Application No. 09/945,203
<b>Information Disclosure Statement by Applicant</b> (Use several sheets if necessary)		Applicant Mark Espy et al.	
		Filing Date August 31, 2001	Group Art Unit 1634

<b>Other Documents (include Author, Title, Date, and Place of Publication)</b>		
Examiner Initial	Desig. ID	Document
	AP	Petrich et al., "Direct detection of <i>vanA</i> and <i>vanB</i> genes in clinical specimens for rapid identification of vancomycin resistant enterococci (VRE) using multiplex PCR," <u>Molecular and Cellular Probes</u> , 1999, 13:275-281
	AQ	Reischl et al., "Rapid Identification of Methicillin-Resistant <i>Staphylococcus aureus</i> and Simultaneous Species Confirmation Using Real-Time fluorescence PCR," <u>J. Clin. Microbiol.</u> , 2000, 38:2429-2433
	AR	Sloan et al., "Evaluation of a Combined LightCycler Assay for the Detection of <i>vanA</i> , <i>vanB</i> , and <i>vanB-2/3</i> Genes in Enterococci," <u>Abstracts of the General Meeting of the American Society for Microbiology</u> , 2002, 102:143 (Abstract C-242)

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